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REMARKS

In the Final Office Action of March 23, 2007, Examiner Gottschalk rejected pending claims 1-4, 7-20, 26, 27 and 29 under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art (hereinafter "APA") in view of U.S. Patent No. 6,615,190 to *Slater* and in further view of U.S. Patent Publication No. 2003/0018550 to *Rotman et al.* Additionally, Examiner Gottschalk rejected pending claims 6 and 28 under 35 U.S.C. §103(a) as being unpatentable over APA in view of *Slater* and *Rotman* and in further view of U.S. Patent No. 5,717,595 to *Cherrington*.

The Applicant has thoroughly considered Examiner Gottschalk's remarks concerning the patentability of claims 1-4, 7-20, 26, 27 and 29 over APA in view of *Slater* and in further view of *Rotman* and the patentability of claims 6 and 28 over APA in view of *Slater* and *Rotman* and in further view of *Cherrington*. The Applicant has also thoroughly read *Slater*, *Rotman* and *Cherrington*. To warrant these §103(a) rejections of claims 1-4, 6-20 and 26-29, APA, *Slater* and *Rotman* in combination must teach or suggest all of the limitations of independent claims 1, 26 and 29. See, MPEP §2143. The Applicant respectfully traverses the §103(a) rejection of independent claims 1, 26 and 29, because APA, *Slater* and *Rotman* in combination fails to teach or suggest "(f) analyzing said information to determine trends in said usage of said card" as recited in independent claim 1; "(f) analyzing said organized information to determine characteristic in said usage of said card" as recited in independent claim 26; and "(f) analyzing said information on a card by card basis to determine trends in said usage of said cards" as recited in amended independent claim 29.

As to the traversal, in the Final Office Action, Examiner Gottschalk has acknowledged the failure by APA and *Slater* to teach or suggest the aforementioned limitations of

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independent claims 1, 26 and 29. A careful review of *Rotman* also reveals the failure of *Rotman* to teach or suggest the aforementioned limitations of independent claims 1, 26 and 29.

Specifically, the inventive principles of *Rotman* are directed to addressing a need for systems that use aggregate payor information that is not personally identifiable to generate real-time market information predictions. See, *Rotman* at paragraph [0014]. In this context, *Rotman* subsequently describes and illustrates a system and method for implementing these inventive principles. See, *Rotman* at paragraph [0049]-[0088]. Consequently, when read in the proper context, the Applicant respectfully asserts that *Rotman* actually teaches away from a system that uses "individual payor information that is personally identifiable" to generate real-time information predictions. In other words, *Rotman* teaches away from any type of analysis of individual payor information to determine trends in a usage of a personally identifiable card. Thus, a combination of *APA*, *Slater* and *Rotman* teaches away from "(f) analyzing said information to determine trends in said usage of said card" as recited in independent claim 1; "(f) analyzing said organized information to determine characteristic in said usage of said card" as recited in independent claim 26; and "(f) analyzing said information on a card by card basis to determine trends in said usage of said cards" as recited in amended independent claim 29.

Withdrawal of the rejection of independent claims 1, 26 and 29 under 35 U.S.C. §103(a) as being unpatentable over *APA* in view of *Slater* and in further view of *Rotman* is therefore respectfully requested.

Claims 2-4 and 6-20 depend from independent claim 1. Therefore, dependent claims 2-4 and 6-20 include all of the elements and limitations of independent claim 1. It is therefore

respectfully submitted by the Applicant that dependent claims 2-4 and 7-20 are allowable over *APA* in view of *Slater* and in further view of *Rotman* and dependent claim 6 is allowable over *APA* in view of *Slater* and *Rotman* and in further view of *Cherrington* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over *APA* in view of *Slater* and in further view of *Rotman*. Withdrawal of the rejection of dependent claims 2-4 and 7-20 under 35 U.S.C. §103(a) as being unpatentable over *APA* in view of *Slater* and in further view of *Rotman* and withdrawal of the rejection of dependent claim 6 under 35 U.S.C. §103(a) as being unpatentable over *APA* in view of *Slater* and *Rotman* and in further view of *Cherrington* are therefore respectfully requested.

Claims 27 and 28 depend from independent claim 26. Therefore, dependent claims 27 and 28 include all of the elements and limitations of independent claim 26. It is therefore respectfully submitted by the Applicant that dependent claims 27 is allowable over *APA* in view of *Slater* and in further view of *Rotman* and dependent claim 28 is allowable over *APA* in view of *Slater* and *Rotman* and in further view of *Cherrington* for at least the same reason as set forth herein with respect to independent claim 26 being allowable over *APA* in view of *Slater* and in further view of *Rotman*. Withdrawal of the rejection of dependent claim 27 under 35 U.S.C. §103(a) as being unpatentable over *APA* in view of *Slater* and in further view of *Rotman* and withdrawal of the rejection of dependent claim 28 under 35 U.S.C. §103(a) as being unpatentable over *APA* in view of *Slater* and *Rotman* and in further view of *Cherrington* are therefore respectfully requested.

For the foregoing reasons, Applicant submits that all claims are now in condition for allowance. Applicant respectfully requests reconsideration and a speedy passage of this

application to allowance. If there are any remaining issues that can be addressed telephonically, the Examiner is invited to contact the undersigned.

Respectfully submitted,

By: 

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